


**UNANIMOUS CONSENT TO ACTION BY THE BOARD OF DIRECTORS
VILLAGES AT QUEEN CREEK HOMEOWNERS ASSOCIATION
C/o ASSOCIATED ASSET MANAGEMENT
2400 E ARIZONA BILTMORE CIRCLE, SUITE 1300
PHOENIX, ARIZONA 85016
(602) 957-9191 / FAX (602) 957-8802**

The undersigned, constituting all of the members of the Board of Directors of the Villages at Queen Creek Homeowners Association, Inc an Arizona non-profit corporation, hereby take the following action in writing and without a meeting pursuant to Section 10-1095, Arizona Revised Statutes, which action shall have the same force and effect as it taken by the Board at a duly called meeting of the Board

RESOLVED, that the Board of Directors of the Villages At Queen Creek Homeowners Association hereby adopt that the antenna/cable wires guideline be amended as follows Any antenna/cable wires which are visible from neighboring property or the street be required to be painted to match the color of the body of the exterior of the home

IN WITNESS WHEREOF, the undersigned have executed this consent as of April 22nd 2002



Joe Bayer, President



Gerald Blomquist, Secretary



Wilford M Farnsworth III, Treasurer

**LANDSCAPE AND DESIGN
GUIDELINES
FOR
THE VILLAGES AT QUEEN CREEK
HOMEOWNERS ASSOCIATION, INC.**

**September 24, 2001
Amended April 22, 2002**

HOME BUILDER DESIGN GUIDELINES

All buildings and other improvements erected by the Declarant or a Builder within The Villages at Queen Creek Homeowners Association, Inc do not require approval by the Design Review Committee pursuant to compliance with The Villages of Queen Creek Homeowners Association, Inc governing documents including but not limited to the Declaration, Landscape and Design Guidelines, the First Amended and Restated Development Agreement recorded on 8/3/00 and ordinances regulated by the Town of Queen Creek. It is the Declarant and the Builders responsibility to insure compliance with the above referenced documents. Once the Declarant or a Builder plan has been approved by the Town of Queen Creek, no additional submittals are required unless a major modification or change is made to the original plans. Finalized house elevations (front & back), paint color pallets, roof tile colors, landscape packages and listing of any exterior options must be forwarded in writing to the management company for Association documentation.

When a building design has been approved by the Town of Queen Creek and the necessary building permit obtained from the Town of Queen Creek, the applicant will proceed in a timely manner with the commencement and completion of all construction work. Such commencement will occur within 90 days from the date of obtaining the building permit from the Town of Queen Creek. The applicant will complete the construction within one year of the date of the issuance of the building permit from the Town of Queen Creek. If the construction is not completed, The Villages at Queen Creek Homeowners Association, Inc (as defined in the CC&R's) will have the right to assess the owner for the cost of completion, for the full Association assessment, and will collect such other costs as provided in the Declaration.

HOMEOWNER DESIGN GUIDELINES

Prior to the commencement of construction or installation all homeowner plans must be submitted for review to the Design Review Committee. Approval to proceed shall be required in writing from the Design Review Committee. Following these guidelines does not eliminate the need for submission (except as noted)

As of this date, September 24, 2001 all of the members of the Rancho del Rey Homeowners Association shall comply with ARTICLE 4 – ARCHITECTURAL CONTROL of the Covenants, Conditions and Restrictions (CC&R's) and Design Guidelines of the Villages at Queen Creek Homeowners Association, Inc. The members of the Rancho del Rey Homeowners Association shall submit to the Villages at Queen Creek Architectural Committee all changes, alterations, etc. which have been completed for written documentation of grandfather approval

Antennas

To the extent permitted by applicable law, the installation of antennas, satellite dishes or other devices for the transmission or reception of television or radio signals or any other form of electromagnetic radiation shall be subject to the prior written approval of the Design Review Committee unless applicable law prohibits the Design Review Committee from requiring such approval. If the applicable law prohibits the Design Review Committee from requiring prior approval for the installation of certain antennas, any such antennas are to be installed as follows

The preferred installation locations are as follows in descending order of preference

- 1 A location in the back yard of the Lot where the Receiver will be screened from view by landscaping or other improvements,
- 2 An unscreened location in the backyard of the Lot,
- 3 On the roof, but below the roof line,
- 4 A location in the side yard of the Lot where the Receiver and any pole or mast will be screened from view by landscaping or other improvements,
- 5 On the roof above the roofline
- 6 An unscreened location in the side yard,
- 7 A location in the front yard of the Lot where the Receiver will be screened from view by landscaping or other improvements
- 8 Any antenna/cable wires which are visible from neighboring property or the street are required to be painted to match the color of the body of the exterior of the home

Awnings

All awnings must be approved by the Design Review Committee. Awnings over all windows shall be canvas or similar material, of solid color on both sides, which match the color of the body of the exterior of

the home or roof color and shall be installed only on the side and/or rear of the home. All awning submittals must include a drawing with the location of the proposed awning installation. A sample of the material to be used, along with the color and design of the proposed awning is required. Owner is responsible for maintenance and repair of awnings. Association retains the right to determine when an awning must be repaired and or replaced due to weathering, fading, tearing, ripping, etc.

Basketball Goals

- 1 Only pole mounted backboard and goals are acceptable. Poles must be set in the ground permanently. Backboards shall not be attached to the house, garage or roof.
- 2 Goals installed on the "exterior" of the driveway require the adjacent neighbor's written approval.
- 3 Permanent basketball poles located in front or rear yards must be painted to match the color of the body of the exterior of the home.
- 4 Backboards must be clear Plexiglas or painted a solid color to match the color of the body of the exterior of the home. Backboards that do not meet these criteria must be submitted for approval prior to installation by the Architectural Design Committee.
- 5 All equipment must be constantly maintained. Broken backboards, disfigured or bent rims, ripped or torn nets, chipped and/or peeling paint, etc. constitute grounds for fines and/or removal.
- 6 Only nylon or similar cord nets are acceptable. Metal or chain nets are expressly prohibited.
- 7 Courts may not be painted or permanently outlined on the driveway or other concrete surfaces.
- 8 Lighting for night use of the equipment is prohibited.
- 9 Portable basketball goals are expressly prohibited, except in rear yards.
- 10 Permanent basketball goals located in the rear yard must comply with all above applicable guidelines.

Playground Equipment

- 1 Canvas covers shall be of a "neutral" color, off white, beige or light brown.
- 2 Recommended minimum set backs from side and rear wall shall be 5 feet.
- 3 Height restriction of 8 feet, including the awning.
- 4 Must submit written input of all adjacent neighbors for review by the Committee if set backs from side and rear wall is less than 8 feet. Neighbor input shall include a statement acknowledging the proposed equipment's location, height, material and color. Neighbor's signature and lot number must be noted.

Chimneys

Chimneys shall be constructed of the same material and texture as the home. Exposed flues are prohibited.

**Decorative
Items**

The Board of Directors reserves the right to require removal of decorative items in front yards based on size, quantity, color, location and any other criteria that the Board may determine

Flag Poles Flagpoles are not allowed in residential areas except for those used temporarily by homebuilders at their models. Homeowners are required to use brackets mounted on the house or garage below the roofline to display flags. Flags may be displayed from up to 10 days prior to holidays, and 2 days after.

Decorative Flags Decorative flags which are bracket house mounted below the roofline and are not seasonal, do not require approval. Flags must be maintained in good condition at all times. Torn, ripped, faded, etc constitute grounds for fines and removal. Flags may not be offensive to neighbors or the Association. The Board of Directors shall make this determination.

**Driveway
Extensions**

Driveway extensions will be reviewed on an individual basis with strong consideration of any impact on the architectural features of the neighborhood. The guidelines for driveway extensions are as follows: Driveway extensions shall not be in excess of an additional 9'6" of concrete or a total of 25'6" of concrete including both the existing driveway and the extension. Driveway extensions must be no less than three (3) feet from the adjacent neighbor closest to the edge of the proposed extension. The lot area between the extension and the property line must be landscaped.

**Fences &
Walls**

Plans to raise the height of a party wall must be submitted for approval with written permission from the adjacent neighbor(s). Plans for new fences or walls must be submitted to the Design Review Committee prior to construction. Approval must be first obtained by the Association and then by the Town of Queen Creek. Approval guidelines stipulate that fences and walls shall not exceed a maximum of 5'8" from the highside of the fence/wall. Walls must be stuccoed and painted to match the existing dwelling or wall in texture and color. No homeowner shall remove any portion of a perimeter wall for any purpose. Any Owner in violation of this provision shall be subject to such monetary penalties and suspension of voting rights and common area use rights as may be established by the Board.

Gates

All requests for additional gates or gates other than that which was offered by the original homebuilder of the lot/home must be submitted for architectural approval. The Design Review Committee must approve placement of said gate(s). Double gates may be installed to allow wider access to rear yards. All gates (double or single) should be of the same material, design and color as the originally installed single gates.

Additional sidewalks installed to utilize the side gates do not need to be submitted if all the following conditions are met: The additional sidewalk is three (3) feet or less in width, is one foot or more from the property line and is one foot or further from the side of the home. The strip between the home and the sidewalk addition needs to have decomposed granite or another approved inorganic groundcover installed per the landscaping guidelines. No plant material or vegetation should be installed in this area. Ground planting and irrigation are prohibited in this area. All conditions must be met in order to proceed with installation without written approval. The Design Review Committee reserves the right to review and request changes to the addition per these requirements.

Gutters &
Downspouts

Gutters and downspouts will be considered for approval if the finish matches the color of the home. The Association strongly recommends use of high quality materials that offer long life, as the gutters must be maintained in good condition.

HVAC

Except as initially installed by the homebuilder, no heating, air conditioning or evaporative cooling unit shall be placed, installed, constructed or maintained upon any lot without the prior written approval of the Design Review Committee. All units shall be ground mounted, located within the perimeter of the rear yard and screened or concealed from view of residential neighboring property or public property.

Mechanical
Equipment &
Roof Fixtures

All mechanical equipment will be ground mounted. Solar panels will not be permitted unless approved through review by the Town of Queen Creek and the Design Review Committee and the Board of Directors. All vents extending through a roof and all flashing will be painted to match the roof tile color.

Machinery &

Equipment

No machinery, fixtures, or equipment of any type, including, but not limited to, heating, cooling, air conditioning, refrigeration equipment, and clotheslines, may be placed on any lot or parcel without screening or concealment from view of non-residential neighboring property or public property. The screening or concealment shall be solid and integrated architecturally with the design of the building or structure, shall not have the appearance of a separate piece or pieces of machinery, fixtures, or equipment, and shall be constructed and positioned in such a manner so it is level and plumb with horizontal and vertical building components and shall be structurally stable in accordance with sound engineering principles. Oil pans, carpet, boards or any other object used to collect oil spills from driveways must be removed when not in use so as to not be visible.

Solar Panels and Equipment

Solar energy devices may not be visible from public view. Roof mounted solar panels and equipment must match the roof material. Panels must be an integrated part of the roof design and mounted directly to the roof plane. Solar units must not break the roof ridge line and must not be visible. Roof mounted hot water storage systems must not be visible from neighboring properties. Tacker type systems will be allowed only when not visible from neighboring property.

Paint Colors

The paint colors used by the original homebuilder are highly recommended for use in all instances. In the case of any variation from the original colors, the preferred colors are earth tones. Trim colors shall not dominate the exterior appearance and shall be of the same color range of the major color. The Design Review Committee prior to painting must approve colors.

Patio Covers

Roofing materials should match that which were installed by the builder on the original roof of the home or that which were offered as an option by the builder for a patio cover. Asphalt shingles (including rolled shingles) are expressly prohibited unless used by the builder on the home. Color of supports and material should match the color of the body or trim of the home. Roof shall be flat or match the pitch of the roof of the home. All patio covers, not installed by the builder, must be reviewed by the Design Review Committee on an individual basis, prior to installation, with strong consideration being given to any impact of architectural features in the neighborhood.

**Pools
and Spas**

Pools and spas do not require the prior approval of the Design Review Committee unless being installed on a lot with view fencing or if visible above the fence line. Perimeter walls on lots bordering common areas and shared Homeowner Association walls may not be torn down to allow access to rear yards. Access must be gained by removing a portion of the front wall on the side of the home. Repairs to the wall must be completed in a timely fashion and include repairing the wall to match the texture and color of the remaining wall. All pool and spa equipment must be screened from view of neighboring property. (Lots with view fencing must submit plans for approval by the Design Review Committee.) No homeowner shall remove any portion of a perimeter wall for any purpose for pool installation. Any Owner in violation of this provision shall be subject to such monetary penalties (minimum fine of \$2,000.00) and suspension of voting rights and common area use rights as may be established by the Board.

Pool fencing

The specifications for rear yard wrought iron pool fencing installation on a Lot with view fencing shall be of a neutral earth tone color to match or blend with the exterior color of the home and meet all City, State and Federal requirements.

**Roof & Roof
Structures**

Roof colors shall not produce glare, such as white, light colored aluminum or a reflective surface. All vent pipe stacks, gutters, flues and any other equipment protruding above the plane of the roof and visible from neighboring properties shall be painted and/or screened to match the roof.

Sanitation

No garbage or trash may be placed on any lot or parcel except in covered containers meeting the City specifications, and must be stored out of sight. Rubbish, debris and garbage shall not be allowed to accumulate. Each owner shall be responsible for removal of rubbish, debris and garbage not only from his lot or parcel, but also from all public right-of-ways either fronting or along side his lot or parcel, excluding (a) public roadway improvements, and (b) those areas specified on a Tract Declaration or subdivision plat to be maintained by the City or the Association.

Screen Doors

Silver-colored aluminum screen doors are prohibited. Screen doors will be considered for approval provided the screen and frame are the same color and that match any sunscreen that may exist on the home. The Design Review Committee must approve all screen doors prior to installation.

Security

Doors

Must be of a neutral earth tone color to match or blend with the exterior of the home or match the exterior window frame. Compliance with these guidelines negates the requirement for approval by the Design Review Committee.

Signs

No signs shall be displayed on any lot except the following:

- (A) Signs used by the Declarant to advertise the lots and residence thereon for sale
- (B) One temporary "For Sale" or "For Rent" sign with a maximum face area of five (5) square feet
- (C) Such signs as may be required by law
- (D) One residential identification sign with a maximum face area of eighty (80) square inches
- (E) Signs approved by the Design Review Committee

All signs shall conform and comply with City ordinances. Signs advertising landscaping or pool contractors, etc. must be removed within forty-eight (48) hours of completion of work.

Open House Directional Signs

Open house directional signs may be provided pursuant to Article IX, Section 5 of the City's current Ordinance 85-8 "Open House" or similar "For Sale" signs in excess of the above Article IX, Section 5, Ordinance 85-8 criteria shall not be placed by either homebuilders or resale sellers.

Security

Signs

Security signs must be located a maximum distance of 2 feet from the front of the home. Security signs must not exceed 12 inches by 12 inches and must be maintained in good condition at all times.

Storage Sheds

Storage sheds must be submitted for approval prior to installation by Design Review Committee. Must submit written input of all adjacent neighbors for review by the Committee if set backs from side and rear walls are less than 5 feet and shed height exceeds surrounding walls or fences. Neighbor input shall include a statement acknowledging the proposed shed location, height, material and color. Neighbor's signature and lot number must be noted.

Windows

Permanent draperies or suitable window treatments shall be installed on all front-facing windows within ninety (90) days of occupancy. No reflective materials, including but not limited to, aluminum foil, reflective screens or

glass, mirrors or similar type material, shall be installed or placed upon the outside or inside of any windows Exterior window coverings or treatments used to decorate openings must be compatible, with respect to materials and color, with the style and color of the home

Sun Screens Bronze, gray, brown or charcoal sunsreen material may be installed without architectural approval provided the frame for the window screen must match the screen material or existing window frames

LANDSCAPE GUIDELINES

WITHIN NINETY (90) DAYS FROM THE DATE OF CLOSING, THE OWNER OF A LOT SHALL COMPLETE THE FRONT YARD INSTALLATION AND IRRIGATION IMPROVEMENTS IN COMPLIANCE WITH THE VILLAGES AT QUEEN CREEK HOMEOWNERS ASSOCIATION CC&R'S AND THE FOLLOWING GUIDELINES AS ADOPTED AND AMENDED FROM TIME TO TIME, IN THAT PORTION OF THE LOT WHICH IS BETWEEN THE STREET (S) ADJACENT TO THE LOT AND THE EXTERIOR WALL OF THE RESIDENTIAL UNIT OR ANY WALL SEPARATING THE SIDE OR BACK YARD OF THE LOT FROM THE FRONT YARD OF THE LOT

BACK YARDS WHICH ARE VISIBLE FROM COMMON AREAS SHALL BE INSTALLED WITHIN SIX (6) MONTHS FROM THE DATE OF CLOSING

PRIOR TO INSTALLATION OF THE LANDSCAPING, OWNER SHALL MAINTAIN THE LOT IN A WEED-FREE CONDITION

Front yard Landscaping

Front yard landscaping must have a minimum of one (1) 24" box tree or two (2) 15 gallon trees or one (1) 15 gallon tree and one (1) specimen cactus measuring no smaller than three (3) feet tall at installation and ten (10) five-gallon plants and decomposed granite and/or turf Front yard landscaping packages will be provided by the homebuilder and must be installed no later than 90 days after the completion of each home

Front yard landscape packages being provided by homeowner or builder must be submitted for approval by the Design Review Committee prior to installation

Plant Material

Plant palettes and materials must be submitted for review and approved by the Design Review Committee prior to installation

The Design Review Committee based on Lot size may make variances to these minimums

Rear yard landscaping for lots with view fencing

Landscaping must be installed within six (6) months

Rear yard landscaping for lots without view fencing

No prohibited plants shall be installed that are over the fence line

Turf

The Association encourages water conservation, however, turf is allowed. If a warm season grass is used that will go dormant in winter, such as Bermuda, overseeding with Rye seed is required. No artificial turf will be allowed in front yards.

Rock Ground Cover

Landscape rock is subject to approval by the Architectural Design Committee.

If decomposed granite or other landscape rock is used, it must be of an "earth tone" and not white, green, blue or other bright colors. Artificially colored rock(s) or granite is prohibited. All rock areas shall be treated with a pre-emergent weed control at regular intervals to retard weed growth.

Hardscape

Only hardscape items that are visible from neighboring property in the front or rear yard require approval. Materials included in hardscape are concrete, brick, tile, wood, etc. Examples of hardscape items are planters, walkways, retaining walls, fountains, decorative walls, statues, etc. The Committee reserves the right to limit the size and quantity of all hardscape and decorative items. Earth tone colors are recommended.

Prohibited Plant Material The following vegetation types and varieties are expressly prohibited:

- (A) Olive trees (*Olea europaea*) other than the "Swan Hill" variety
- (B) Oleanders (*Nerium oleander*) other than the dwarf variety and *Thevetia* (*Thevetia* species)
- (C) Fountain grass (*Pennisetum setaceum*) or Pampas grass (*Cortaderia selloana*)
- (D) Mexican Palo Verde (*Parkinsonia aculeata*)
- (E) All varieties of mulberry trees

Maintenance

All improvements shall be kept in good and sufficient repair. Plants shall be maintained in a healthy and growing condition. Fertilization, cultivation, and natural looking pruning shall occur on a regular basis and shearing of plant material shall be minimized. All trash and weeds shall be removed on a regular basis. Dead plants shall be removed and replaced with a like species within ten working days, weather permitting. The irrigation system shall be maintained regularly to avoid plant and water loss. Lawns shall be kept mowed. Damages to any improvements shall be repaired as promptly as the extent of the damage shall allow. Buildings which happen to be vacant for any reason shall be kept locked and the windows glazed in order to prevent entrance or vandalism of the property.

Fine Grading and Mounding

Fine grading is a critical aspect of landscaping. Each lot has been graded such that all storm water will drain away from the house. It is important that this drainage pattern is maintained when preparing the landscape design, especially if mounding or berming is proposed. In all cases, the installation must comply with the City grading and drainage plan. Every effort should be made to make mounding appear natural.

Lighting

The Design Review Committee must approve lighting, other than low voltage landscape lights. The following outlines the minimum standards for lighting,

- (A) Lighting shall be shielded such that the light shines primarily on the lot on which it is installed. Lights, which create excessive glare visible from other lots, are prohibited. Bulbs must be a neutral color.
- (B) Outside, ground lights should be screened whenever possible with walls, plant materials or internal shielding.

Swimming Pool Rules

- 1 No lifeguard on duty. Use of pool is at the user's own risk.
- 2 Keep gates closed and locked at all times.
- 3 Glass containers are not permitted in or around the pool area.
- 4 An adult must accompany all guests under 18.
- 5 Proper swim attire is required. Cut-off's are not permitted.
- 6 Remove all oils and lotions before entering water.
- 7 Running, horseplay or diving into the swimming pool is not permitted.
- 8 No unnecessary loud noise permitted at any time.
- 9 Absolutely no pets are allowed in the swimming pool area.
- 10 The management (with permission of the Association Board of Directors) is granted permission to reserve the right to deny use of the pool to anyone at anytime.
- 11 The management (with permission of the Association Board of Directors) is authorized to remove anyone who is in non-compliance of the pool rules.
- 12 Report any vandalism or maintenance problems to the Management Company.

Tennis Court Rules

- 1 No glass allowed on the court surface or around the tennis courts.
- 2 No unnecessary loud noise permitted at any time.
- 3 Use of tennis courts is on a strictly first-come, first-served basis, NO RESERVATIONS at any time.
- 4 If other players are waiting, court time is limited to 90 minutes.
- 5 Guests must be accompanied by a Villages at Queen Creek resident.
- 6 Tennis shoes ONLY are allowed on the courts.
- 7 No bicycles, rollerblades, skates, or scooters are allowed in the tennis court area.

- 8 The management (with permission of the Association Board of Directors) is granted permission to reserve the right to deny use of the pool to anyone at anytime
- 9 The management (with permission of the Association Board of Directors) is authorized to remove anyone who is in non-compliance of the tennis court rules
- 10 Report any vandalism or maintenance problems to the Management Company

Community Park Reservations

- 1 Park reservations to be established by the Board of Directors and published to all members of the Association
- 2 Members of the Association who pay full assessments take priority position when reserving the park for usage within the association common areas
- 3 Report any vandalism or maintenance problems to the Management Company

Golf Carts

- 1 Golf carts on public streets must be licensed pursuant to state and City regulations

Clubhouse Rules

The use of the Clubhouse is primarily for the enjoyment of the Members of the Association and Residents. Guests or visitors are accommodated only when such accommodation does not infringe upon the convenience or right of enjoyment of the Members and Residents. While the Association will attempt to accommodate Members and Residents with special needs, the Association reserves the right to charge fees to those Members and Residents for special accommodation requests.

The Board of Directors has the authority to make and enforce such policies, rules and regulations, as the Board deems reasonable and appropriate, including without limitation the ability to restrict the use of the Clubhouse facilities. Such policies, rules and regulations are adopted at the sole discretion of the Board in its exercise of reasonable business judgement and fiduciary duty to the Members. Rules and any amendment and additions thereto adopted by the Board shall be binding upon all Members, Residents, and their respective guests, tenants and invitees, and upon any other persons having use rights with respect to the Association.

Code of Conduct

- 1 Members, Residents, and guests must conduct themselves as not to jeopardize or interfere with the rights and privileges of other Members, Residents or guests
- 2 Members are responsible for the conduct of their Residents and guests. Residents and guests will be held to the same standard of conduct as set forth for Members
- 3 Members, Residents, and guests will refrain from loud, profane, indecent or abusive language
- 4 Members, Residents, and guests will not compromise the safety of others by their actions
- 5 Members will be held responsible for any damage to Association property caused by the Member and/or the Member's Residents or guests

- 6 Members are prohibited from profiting financially from their membership by charging Residents or guests for use of the Association facilities
- 7 No pets are permitted in the facility, except for assistant purposes as provided for in the American Disabilities Act guidelines